

TRANSMITTAL LETTER			Case No. 11758/213
Serial No. 10/678,865	Filing Date October 3, 2003	Trademark To Be Assigned	Group Art Unit To Be Assigned
Inventor(s) Kenneth J. Muderlak			
Title of Invention Automatic Flushing Actuator for Tank Style Toilets			

TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is Transmittal Letter (in duplicate), Information Disclosure Statement (in duplicate), Form PTO-1449, Copies of Two (2) Cited References (A21-A22), and Return Postcard.

- ☐ Small entity status of this application under 37 CFR § 1.27 has been established by verified statement previously submitted.
- ☐ Applicant claims small entity status. See 37 CFR 1.27.
- ☐ Petition for a _____ month extension of time.
- ☒ No additional fee is required.
- ☐ The fee has been calculated as shown below:

	Claims Remaining After Amendment	Highest No. Previously Paid For	Present Extra
Total	Minus		
Indep.	Minus		
First Presentation of Multiple Dep. Claim			

Small Entity	
Rate	Add'l Fee
x \$9 =	
x 43 =	
+ \$145 =	
Total add'l fee	\$

Other Than Small Entity	
Rate	Add'l Fee
x \$18 =	
x \$86 =	
+ \$290 =	
Total add'l fee	\$

- ☐ Please charge Deposit Account No. 23-1925 (BRINKS HOFER GILSON & LIONE) in the amount of \$ _____. A duplicate copy of this sheet is enclosed.
- ☐ A check in the amount of \$ _____ to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this communication or credit any overpayment to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.
- ☒ I hereby petition under 37 CFR § 1.136(a) for any extension of time required to ensure that this paper is timely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Adam D. Airhart
Registration No. 51,387
Attorney for Applicant
Customer No. 00757 Brinks Hofer Gilson & Lione

BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, ILLINOIS 60610
(312) 321-4200

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to:
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on January 6, 2004.

Date: 1-6-04

Signature:



CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope, with sufficient postage, addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

January 6, 2004

Date of Deposit

Adam D. Airhart - Reg. No. 51,387

Name of Applicant, Assignee or
Registered Representative

Signature

1-6-04

Date of Signature

Our Case No.: 11758-213

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Kenneth J. Muderlak

Serial No.: 10/678,865

Filing Date: October 3, 2003

For: Automatic Flushing Actuator for
Tank Style Toilets

Examiner: To Be Assigned

Group Art Unit No.: To Be Assigned

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
Alexandria, VA 22313-1450

Dear Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Information Disclosure Statement be entered and the documents listed below and on the attached Form PTO-1449 be considered by the Examiner and made of record. Copies of the listed documents A21-A22 required by 37 C.F.R. § 1.98(a)(2) are enclosed for the convenience of the Examiner.

The references now cited are the following:

No.	Date	Name
407,746	7/23/1889	Stevens
668,990	2/26/1901	Jenkins
3,559,217	2/2/1971	Johnson
4,141,091	2/27/1979	Pulvari
CA 1054306	5/15/1979	Liu
4,185,336	1/29/1980	Young
4,329,745	5/18/1982	Aguero
4,338,690	7/13/1982	Hsieh et al.
4,392,260	7/12/1983	Benson
4,443,898	4/24/1984	Aguero
4,756,031	7/12/1988	Barrett
4,825,490	5/2/1989	Benshoof
4,941,215	7/17/1990	Liu
5,003,643	4/2/1991	Chung
5,036,553	8/6/1991	Sanderson
WO 9313275	7/8/1993	Martell
5,353,443	10/11/1994	Sim
5,369,816	12/6/1994	Chen
5,410,766	5/2/1995	Schumacher
5,901,384	5/11/1999	Sim
6,202,227	3/20/2001	Gurowitz
US 2002/0029412	3/14/2002	Veal

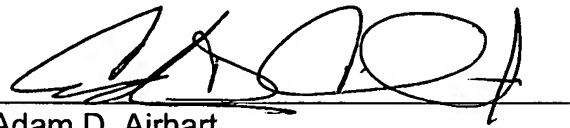
In accordance with 37 C.F.R. § 1.97(g),(h), this Information Disclosure Statement is not to be construed as a representation that a search has been made and is not to be construed to be an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

This Information Disclosure Statement is being filed prior to the receipt of the first Official Action reflecting an examination on the merits and hence is believed to be timely filed in accordance with 37 C.F.R. § 1.97(b). No fees are believed to be due in connection with filing of this Information Disclosure Statement, however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to these material, the Commissioner is hereby authorized to deduct said fees from Brinks

Hofer Gilson & Lione Deposit Account No. 23-1925. A duplicate copy of this document is enclosed.

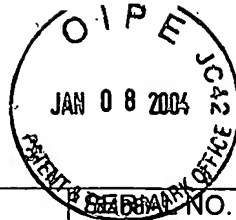
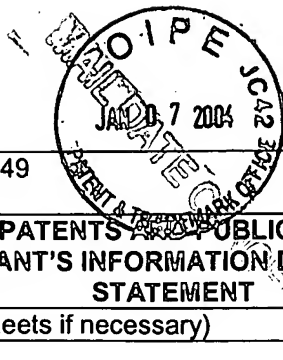
Applicant respectfully requests that the listed documents be made of record in the present case.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Adam D. Airhart', written over a horizontal line.

Adam D. Airhart
Registration No. 51,387
Attorney for Applicant

BRINKS HOFER GILSON & LIONE
P.O. Box 10395
Chicago, IL 60610
(312) 321-4200



FORM PTO-1449	NO. 10/678,865	CASE NO. 11758/213
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT (use several sheets if necessary)	FILING DATE October 3, 2003	GROUP ART UNIT
APPLICANT(S): Kenneth J. Muderlak		

REFERENCE DESIGNATION U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	NAME	CLASS/ SUBCLASS	FILING DATE
	A1	407,746	7/23/1889	Stevens		
	A2	668,990	2/26/1901	Jenkins		
	A3	3,559,217	2/2/1971	Johnson		
	A4	4,141,091	2/27/1979	Pulvari		
	A5	4,185,336	1/29/1980	Young		
	A6	4,329,745	5/18/1982	Aguero		
	A7	4,338,690	7/13/1982	Hsieh et al.		
	A8	4,392,260	7/12/1983	Benson		
	A9	4,443,898	4/24/1984	Aguero		
	A10	4,756,031	7/12/1988	Barrett		
	A11	4,825,490	5/2/1989	Benshoof		
	A12	4,941,215	7/17/1990	Liu		
	A13	5,003,643	4/2/1991	Chung		
	A14	5,036,553	8/6/1991	Sanderson		
	A15	5,353,443	10/11/1994	Sim		
	A16	5,369,816	12/6/1994	Chen		
	A17	5,410,766	5/2/1995	Schumacher		
	A18	5,901,384	5/11/1999	Sim		
	A19	6,202,227	3/20/2001	Gurowitz		
	A20	US 2002/0029412	3/14/2002	Veal		

REFERENCE DESIGNATION FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	COUNTRY	CLASS/ SUBCLASS	TRANSLATION YES OR NO
	A21	CA 1054306	5/15/1979	Canada		
	A22	WO 9313275	7/8/1993	PCT		

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.